

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 16-25 and 27-30 are rejected under 35 U.S.C. 102(b) over the patent to Murphy.

Claims 16-30 are rejected under 35 U.S.C. 103(a) over the patent to Murphy in view of the patent to Murachi.

After carefully considering the Examiner's grounds for the rejection of the claims over the art, applicants have amended the claims in compliance with the discussion carried out during the personal conference with the Examiner, in which the Examiner specifically recommended how to amend the claims.

It is therefore believed that the changes to the claims would be considered as acceptable by the Examiner.

In this amendment, claim 16 has been amended to define "a method for regeneration of a particle filter", rather than "a method for a post-treatment of exhaust gas". New claim 31 has been added, which contains the feature that the regeneration process is controlled by the control/regulating unit, depending on the sulfur content of the fuel. Support for this language can be found in the specification on page 7, lines 13-20.

The cited reference to Murphy discloses the use of hydrogen injection before an oxidation reactor in a Diesel system. This system does not provide any particle filter. Therefore, Murphy does not teach the regeneration of a particle filter.

The secondary reference to Murachi shows an exhaust gas treating system including a particle filter. However, in the Murachi patent, the regeneration of the particle filter is performed by adding fuel directly to the Diesel engine, to close the intact shutter valve to a predetermined degree of opening, and additionally, to use an electric heater for heating the exhaust gas reaching an oxidizing catalyst.

Therefore, Murphy teaches the use of hydrogen in Diesel systems, but not the use of particle filters and their regeneration. Murachi teaches the use of particle filters and their regeneration, but not the use of hydrogen. Murachi only shows the regeneration of particle filters by adding fuel to a Diesel engine without the addition of hydrogen. Thus, the practitioner would not be motivated to combine the systems of Murphy and Murachi, because neither reference provides any disclosure or suggestion regarding the regeneration of particle filters by the addition of hydrogen.

Therefore, the rejection of the claims under Section 103 cannot be maintained. The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification. *In re Fritch*, 23 USPQ 2d 1780, 1783-84 (Fed. Cir. 1992).

For the reasons set forth above, the Applicants respectfully submit that claims 16-31 are patentable over the cited references. The Applicants further request withdrawal of the rejections and reconsideration of the claims as herein amended.

In light of the foregoing arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



Michael J. Striker
Attorney for Applicants
Reg. No. 27233